

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64519 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- BALRAMPUR District- Katihar

Bablu Rishi S/O Ramswarup Rishi @ Sarfa Rishi Resident of Village-
Salempur Kirora (wrongly mentioned in the F.I.R. as resident of village-
Bajargaon), P.S.- Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 366(A)/34 of the Indian
Penal Code.

According to the prosecution case, in brief, is that
on 14.04.2022 minor daughter of the informant namely Khushi
Kumari, aged about 13 years had gone to shop nearby her
house, but she did not return home. It has been alleged that the
accused/petitioner kidnapped her daughter and taken her away
to Patna.

Earlier the bail petition of the petitioner was
allowed by order dated 01.09.2022 passed in Cr. Misc. No.
31207 of 2022 with condition that one of the bailor should be



victim girl namely, Khushi Kumari.

Learned counsel for the petitioner submits that after the order dated 01.09.2022 petitioner has made endeavor to place the victim girl as a bailor but it has come to knowledge of the petitioner that she has left the local residence and shifted to West Bengal with her parents. He further submits that the petitioner has clean antecedents and has been falsely implicated in the present case on the basis of suspicion. He further submits that the allegation is that he kidnapped the daughter of the informant and the victim girl was recovered and her statement was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that she left her house on her own sweet will and she has performed the marriage with the petitioner. He further submits that the victim girl has refused to her medical examination.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with



Balrampur P.S. Case No. 65 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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